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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOHN E. ASHCRAFT,

Plaintiff,

v.

WELK RESORT GROUP, CORP. and  
EXPERIAN INFORMATION SOLUTIONS,  
INC.,

Defendants.

: Case No. 2:16-cv-2978-JAD-NJK

: **STIPULATION TO STAY RULING ON**  
: **MOTION FOR LEAVE TO AMEND AND**  
: **OTHER MATTERS**

: **[FIRST REQUEST]**

: ECF Nos. 24, 28

COMES NOW Plaintiff John Ashcraft ("Plaintiff") and Defendant Experian Information Solutions, Inc. ("Experian"), by and through their undersigned counsel of record, hereby

1 stipulate and agree as follows:

- 2 1. On May 3, 2017, Plaintiff took the 30(b)(6) deposition of Experian.
- 3 2. On May 9, 2017, and based in large part on Experian's 30(b)(6) testimony,  
4 Plaintiff moved for leave to amend his Complaint to add class allegations against  
5 Experian under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*, and NRS  
6 598C. **ECF Dkt. 24.**
- 7 3. On May 23, 2017, Experian filed its response to the motion. **ECF Dkt. 25.**
- 8 4. On May 30, 2017, Plaintiff filed his reply in support of the motion. **ECF Dkt. 26.**
- 9 5. On June 14, 2017, Experian submitted a list of proposed changes to the deposition  
10 testimony, as well as a list of confidential designations to the transcript itself. *See*  
11 **Exhibit 1.** In that letter, Experian stated that because the revisions to the 30(b)(6)  
12 testimony obviated a fact relied on in support of Plaintiff's motion, Experian  
13 invited Plaintiff to withdraw the pending motion to dismiss and offered  
14 Experian's witness for re-deposition, as well as to extend all relevant case  
15 deadlines.<sup>1</sup>
- 16 6. On June 17, 2017, Plaintiff submitted a letter to Experian's counsel, outlining  
17 concerns with the revisions to Experian's 30(b)(6) testimony, the confidential  
18 designations made to the transcript, and other discovery-related matters. **Exhibit**  
19 **2.** Therein, among other things, Plaintiff's counsel indicated that he might be  
20 moving to strike many of the revisions to the deposition testimony. *Id.*
- 21 7. The parties have agreed to meet and confer on several of the issues outlined in his  
22 June 17, 2017 letter on Monday, June 26, 2017.
- 23 8. In the interim, the parties agree that until they are able to meet and confer on  
24 matters related to Experian's June 14, 2017 discovery letter and either agree to  
25 resolve them among themselves or or seek judicial guidance on the same, they do  
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27 <sup>1</sup> Plaintiff believes that the revisions implicate his proposed class claim under the FCRA,  
28 but not his proposed class claim under NRS 598C.

not wish to burden the Court's resources with adjudication of the motion for leave to amend.

9. Therefore, the parties request that a ruling on the motion, as well as all relevant case deadlines, be stayed until such time as the instant dispute regarding the revised deposition testimony is reached.

10. If the parties are able to reach a resolution regarding these matters without Court involvement, the parties will submit a stipulation informing the Court to that effect and proposing a timetable for remaining case deadlines.

11. Good cause exists to grant the stay, because judicial economy is served by staying the motion and conserving judicial resources while the parties attempt to resolve this issue among themselves prior to asking the Court to adjudicate the motion.

Dated: June 22, 2017

NAYLOR & BRASTER

KNEPPER & CLARK LLC

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### **ORDER**

Based on the parties' stipulation [ECF No. 28], this court's powers under FRCP 1, and good cause appearing, IT IS HEREBY ORDERED that the stipulation [ECF No. 28] is **GRANTED in part; ALL DEADLINES ARE STAYED until July 14, 2017**, to permit the parties to work out their deposition issues identified in the stipulation; Plaintiff's Motion for Leave to File First Amended Complaint [ECF No. 24] is **DENIED** without prejudice to its refiling by July 14, 2017.